

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE WORLD TRADE CENTER LOWER  
MANHATTAN DISASTER SITE LITIGATION

: ORDER DIRECTING  
  : DEFENDANTS TO FILE  
  : MOTIONS TO DISMISS  
  : CERTAIN CASES AND  
  : IDENTIFYING THE 45  
  : CASES FOR INTENSIVE  
  : DISCOVERY AND TRIAL

: 21 MC 102 (AKH)

X ALVIN K. HELLERSTEIN, U.S.D.J.:

The Court, with the help of the Special Masters, has reviewed the discovery produced by the Plaintiffs in this docket, and notes:

- 281 Plaintiffs have admitted that they seek recoveries from Defendants even though they did not suffer any diagnosed condition.
- 60 of these Plaintiffs have not sworn to or certified their answers to interrogatories, despite many notices that their cases would be dismissed if they failed to supply these certifications.
- 10 of these Plaintiffs have failed to cure defective or inadequate oaths or certifications accompanying their answers, despite many notices.
- The remaining 211 of these Plaintiffs have properly certified that they suffered no diagnosed condition.

Defendants shall file motions, by January 6, 2012, indentifying these 281 specific cases and moving to dismiss them.

On December 12, 2011 the Special Masters submitted to the Court a report outlining the cases selected by Plaintiffs' Counsel and Defendants' Counsel that will proceed to intensive

discovery and trial. The Special Masters also recommended to me 20 cases, from which I have chosen 15 to proceed to intensive discovery and trial. The 45 cases that will proceed are:

#### **Plaintiffs' Counsel's Selections**

	<b>Plaintiff</b>	<b>Case Number</b>	<b>Attorney</b>
1	Dabrowski, Mieczyslaw	07cv05283	Worby Groner
2	Diaz, Ruth	07cv01601	Worby Groner
3	Lasica, Andrzej	07cv04480	Worby Groner
4	Lora, Andrea	07cv04484	Worby Groner
5	Montero, Leidis	05cv01691	Worby Groner
6	Pineda, Freddy	05cv01349	Worby Groner
7	Sanchez, Javier	08cv02709	Worby Groner
8	Wronkowsky, Marian	08cv02738	Worby Groner
9	Kwasnik, Wladyslaw	07cv11291	Cannata/Grochow
10	Matuzzewski, Piotr	06cv01514	Cannata/Grochow
11	Jaroslav, Ouglyk	10cv06864	Cannata/Grochow
12	Ramirez, Iris	05cv05666	Cannata/Grochow
13	Ropel, Waldemarl	06cv01520	Cannata/Grochow
14	Sanchez, Alex	05cv01091	Cannata/Grochow
15	Wajda, Andrzej	05cv06269	Cannata/Grochow

#### **Defendants' Counsel's Selections**

	<b>Plaintiff</b>	<b>Case Number</b>	<b>Attorney</b>
1	Barbosa, Virginia	06cv01649	Worby Groner
2	Carvajal, Javier	06cv08348	Worby Groner
3	Gawin, Leonard	07cv01619	Worby Groner
4	Korzep, Andrzej	08cv02642	Worby Groner
5	Kwasniak, Boguslaw	07cv05300	Worby Groner
6	Naula, Miguel	08cv02671	Worby Groner
7	Palomino, Camilo	07cv04504	Worby Groner
8	Wolkowicz, Jan	07cv01728	Worby Groner
9	Ciborowski, Henryk	10cv04226	Cannata/Grochow
10	Cieslak, Romuald	05cv06240	Cannata/Grochow
11	Kucharski, Zbigniew	08cv09069	Cannata/Grochow
12	Lelek, Antoni	10cv06862	Cannata/Grochow
13	Muszkatel, Jerzy	08cv05285	Cannata/Grochow
14	Vvnar, Mykhailo	08cv06809	Cannata/Grochow
15	Zietek, Andrzej	09cv03770	Cannata/Grochow

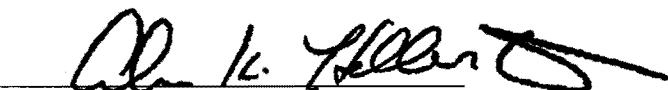
**The Court's Selections**

	<b>Plaintiff</b>	<b>Case Number</b>	<b>Attorney</b>
1	Ambroseccchia, Michael	08cv02560	Worby Groner
2	Compuzano, Consuelo	06cv14529	Worby Groner
3	Castro, Hector	07cv00534	Worby Groner
4	DiCarlo, Castronze	07cv05350	Worby Groner
5	Infantas, Henry	07cv04965	Worby Groner
6	Kiryk, Andrzej	07cv01639	Worby Groner
7	Landau, Keith	08cv02645	Worby Groner
8	Lopez, Francis	07cv05301	Worby Groner
9	Nartowicz, Mieczyslaw	08cv02669	Worby Groner
10	Paciorkowski, Wojciech	08cv04940	Worby Groner
11	Signorile, Frank	06cv15163	Worby Groner
12	Tighe, Stephen	06cv15091	Worby Groner
13	Katz, Hal	08cv05708	Cannata/Grochow
14	Checo, Manuel	05cv01093	Cannata/Grochow
15	Galazka, Jadwiga	08cv09067	Cannata/Grochow

The parties should consider, for discussion at the conference to be held January 5, 2012, a substantial reduction in the number of cases to be subjected to intensive discovery and trial.

So Ordered.

Dated: December 22, 2011  
New York, New York

  
ALVIN K. HELLERSTEIN  
United States District Judge